

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION
IN ADMIRALTY**

Carl Schröter GmbH & Co. KG,

Plaintiff,

Case No. 2:20-cv-334-RMG

vs.

Smooth Navigation S.A.,

Defendant.

Praxis Energy Agents LLC,

Intervenor Plaintiff,

vs.

M/V EVOLUTION, IMO No. 9122899, her
engines, freights, apparel, appurtenances,
tackle, etc., *in rem*, Smooth Navigation S.A.,
and Beta Maritime Corporation, *in personam*,

Defendants.

**INTERVENOR PLAINTIFF PRAXIS ENERGY AGENTS LLC’S MOTION FOR
PAYMENT OF CUSTODIA LEGIS COSTS FROM VESSEL SALE PROCEEDS**

COMES NOW, Intervenor Plaintiff, Praxis Energy Agents LLC (hereinafter “Intervenor Plaintiff” or “PRAXIS”), by and through its undersigned counsel, and files this Motion for Payment of Custodia Legis expenses from the Sale Proceeds of the interlocutory sale of the M/V EVOLUTION (“Vessel”). PRAXIS paid the sum of \$59,719.81 for bunker fuel supplied to the Vessel to preserve and take care of the Vessel while she was under attachment and arrest by this Court.

It is well-settled under admiralty law that services, property, or necessities which are advanced to preserve and maintain a vessel while under seizure by the Court and furnished upon the authority of the Court or by an officer of the Court acting within its authority (Court appointed substitute custodian), should be allowed as *custodia legis* expenses and paid as a priority from the proceeds of an interlocutory sale of the Vessel. In support of the present motion, PRAXIS submits herewith the memorandum of law in support, the declaration of the substitute custodian James Lucas, and the declaration of the authorized representative of PRAXIS, Theodosios Kyriazis and accompanying exhibits thereto. PRAXIS respectfully requests this Court enter an order for Intervenor Plaintiff to be reimbursed the sum of \$59,719.81 from the proceeds of the interlocutory sale of the Vessel.

DATED: October 6, 2020

Respectfully Submitted,

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